STATE OF COLORADO }
} ss
COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, April 27, 2022, there were present:

Chris Richardson Grant Thayer Rick Pettitt

Chair Vice Chair Commissioner

Amanda Moore

Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE RESOLUTION 22-17

ROCKHAVEN REZONE & FINAL PLAT (CASE NO. PD-21-0069 & FP-21-0071)
A REQUEST TO REZONE APPROXIMATELY 79.3-ACRES FROM AGRICULTURE
(A) TO AGRICULTURE RESIDENTIAL (AR) AND A FINAL PLAT CREATING
SEVEN (7) NEW LOTS: SIX (6) OF TEN (10) ACRES AND ONE NINETEEN (19) ACRE
LOT.

WHEREAS, the applicant and property owner, Chadwick Roach has submitted an application (Case Nos. PD-21-0069 & FP-21-0071) requesting approval of a rezoning from Agriculture (A) to Agriculture Residential (AR) and a final plat creating seven (7) new lots; and

WHEREAS, on April 19, 2022 the Planning Commission held a public hearing on the proposed Rockhaven Rezone & Final Plat. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6-0, Planning Commission forwarded a recommendation of approval with conditions to the Board of County Commissioners for consideration; and

WHEREAS, the Board of County Commissioners, having found that the original hearing was properly noticed, and having reviewed the recommendation of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise;

BE IT THEREFORE RESOLVED, the Board of County Commissioners for the County of Elbert, Colorado does hereby approve the ROCKHAVEN REZONE & FINAL PLAT Case Nos. PD-21-0069 & FP-21-0071) with conditions of approval to include:

- 1. The applicant will be required to remove the public hearing sign within seven (7) days of a decision by the Board of County Commissioners; and
- 2. The Rezoning & Final Plats shall not become effective until all fees are paid, conditions

- of approval are met, and the Rezone Exhibit is recorded; and
- 3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
- 4. Provide CDS proof of the Elizabeth FPD fire flow requirements being met prior to recordation of both exhibits.
- 5. Make a payment to the Elbert County Building Department for the difference in impact fees between an Accessory Dwelling Unit and a large-lot single family home prior to recordation of both exhibits.
- 6. Provide CDS with proof of application filed with the State Division of Water Resources for the re-permitting of well permit no. 164346 prior to the recordation of both exhibits.
- 7. Provide CDS with proof of well abandonment report (GWS-09) submitted to the State Division of Water Resources for well permit no. 23047 prior to the recordation of both exhibits.
- 8. Provide CDS with covenants discussing the property owners' maintenance of the private road servicing the subdivision.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRIS RICHARDSON, CHAIR

GRANT THAYER VICE CHAIR

RICK PETTITT, COMMISSIONER

ATTEST: DALLAS SCHROEDER COUNTY CLERK

BY: amandaumoore

Deputy Clerk to the Board - Amanda Moore